

# HOUSE BILL ANALYSIS

## HB 1255

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**Title:** An act relating to motor vehicle theft.

**Brief Description:** Increasing penalties for taking a motor vehicle without permission.

**Sponsors:** Representatives Koster, O'Brien, Ballasiotes, Dunn, Radcliff and Esser.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

**Staff:** Jean Ann Quinn (786-7310).

**Background:**

Under the Sentencing Reform Act (SRA), an adult offender convicted of a felony has a standard sentence range that is based on the seriousness of the offense and the offender's felony convictions. The number of points an offender receives for current and prior felonies varies according to certain rules. For example, if the offender is convicted for a drug offense, three points are added for each adult prior felony drug offense conviction and two points are added for each prior juvenile drug offense. The effect of receiving an additional point means that the standard sentence range is longer.

Taking a motor vehicle without permission, sometimes referred to as joy riding, or riding in a vehicle knowing it was taken without permission, is a class C felony, which carries a maximum term of five years, or a fine of up to \$10,000, or both. It is ranked as a seriousness level I crime under the Sentencing Reform Act which, for a first time offender, has a standard sentence range of 0-60 days.

Juveniles who commit criminal offenses are also sentenced under a determinate sentencing model, which for an offense committed on or after July 1, 1998, is based on the seriousness of the offense (offense category) and the number of prior adjudications. Taking a motor vehicle without permission is ranked as an offense category C crime which, for a first time offender, involves local sanctions. Local sanctions can include any combination of the following: 0 to 30 days confinement; 0-12 months community supervision; 0-150 hours community service; and a fine of \$0 to \$500.

**Summary:**

For adult offenders, the crime of taking a motor vehicle without permission is reclassified

as a class B felony, which carries a maximum term of 10 years, or a fine of up to \$20,000, or both. It is raised to a seriousness level II crime under the Sentencing Reform Act which, for a first time offender, would carry a standard sentence of 0-90 days. Offenders convicted of taking a motor vehicle without permission will have two points added to their score for each prior adult and juvenile conviction for this offense.

For juvenile offenders, taking a motor vehicle without permission is raised to an offense category B crime which, for a first time offender, involves local sanctions.

**Fiscal Note:** Requested on January 26, 1999.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.